

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

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DEBRA L. HARRIS, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Benj A Whitlow #136678
Full name and prison number
of plaintiff(s)

v.

Judge John D. Denson
James Eason

CIVIL ACTION NO. 3:06 CV TB-WKW
(To be supplied by Clerk of
U.S. District Court)

Name of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES (☒) NO (☐)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES (☒) NO (☐)
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) Benj A Whitlow

Defendant(s) James Eason, Judge
~~James Eason~~ John V. Denson

2. Court (if federal court, name the district; if state court, name the county)

Middle District

3. Docket number CC-03-667
4. Name of judge to whom case was assigned John V. Benson
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) Still pending.
6. Approximate date of filing lawsuit July 29, 2006
7. Approximate date of disposition _____

II. PLACE OF PRESENT CONFINEMENT _____

Lee County Justice Center

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED _____

Same as above (Justice Center)

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME

ADDRESS

1. James Eason (2311 Gateway Drive
2. Opelika, AL 36801)
3. Judge: John V. Benson (2311 Gateway Drive
4. (Opelika, AL 36801)
5. _____
6. _____

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED _____

2006

May,

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE:

Double Jeopardy.

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

May 2006 Circuit Court, Criminal Presiding
possession of drug paraphernalia by
Judge John V. Benson. Old times was
turned into being sentenced to a group
home for an indefinite period of time.

GROUND TWO: ineffective assistance of
counsel.

SUPPORTING FACTS: She wouldn't allow me to
be present at the last ~~two~~ hearing, nor
defended the period of my ^{two} time frame.
Which a group home isn't a place for
a drug problem.

GROUND THREE: insufficiency of the evidence.

SUPPORTING FACTS: cause they didn't have
sufficient evidence to prove I don't
have funds to pay my fines or
a home plan, food, medication. It was
my social worker's fault that my
Arre was not paid.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

What ~~the~~ you feel is deem appropriate
for the time I spent unlawfully, upon
the violation of my constitutional rights.
want my release and give me monetary damages.

Sorja Whitton
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on 8-24-2006.
(Date)

Sorja Whitton
Signature of plaintiff(s)

Ground four: cruel and unusual punishment.

Supporting facts: they're telling me they are ordering me to be placed in a group home for an indefinite period of time.

Plaintiff states briefly to set me free and give me a settlement of monetary damage-ment for relief, and attorney's fee upon relief.

I've wrote Charles the magistrate a letter enclosing cc-03-667# which is hard for you to find it might be found under cc-04-325-C for the state and 3:06-CV-655-MEF for the civil action#.

Says Whitten

Signature of plaintiff

PS: Plaintiff is pleading to proceed ~~to the court~~ without pay cost she's without funds until Relief is rewarded. We're without a Notary public. But information is true to the best of my ability.